

APPEAL NO. 032257
FILED OCTOBER 17, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 30, 2003. The hearing officer decided that respondent (claimant) sustained an injury in the course and scope of his employment on _____; that claimant had disability on July 25, 2002, and from July 29, 2002, continuing through the date of the hearing. Carrier appealed these determinations on sufficiency grounds. There is no response from the claimant in the appeal file.

DECISION

We affirm.

Carrier contends that the hearing officer erred in determining that claimant sustained an injury at work on _____, and had disability as a result of this injury. The hearing officer heard claimant's testimony and reviewed the medical evidence in this case. The trier of fact may believe all, part, or none of the testimony of any witness. Taylor v. Lewis, 553 S.W.2d 153, 161 (Tex. Civ. App.-Amarillo 1977, writ ref'd n.r.e.); Aetna Insurance Co. v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. An appeals-level body is not a fact finder and does not normally pass upon the credibility of witnesses or substitute its own judgment for that of the trier of fact, even if the evidence would support a different result. National Union Fire Insurance Company of Pittsburgh, Pennsylvania v. Soto, 819 S.W.2d 619, 620 (Tex. App.-El Paso 1991, writ denied). The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the self-insured is **(self-insured)** and the name and address of its registered agent for service of process is

**COMPANY
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Chris Cowan
Appeals Judge